IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1219 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/04/2004 in WVMP No. 4154/2003 in WP NO : 6715 OF 2003 on the file of the High Court.)

Between:

M/s Renuka Wines, Kondagattu, Muthyampet village,
Mallial Mandal, Karimnagar District, Rep. by Licensee P. Rajamallu Goud.

..... APPELLANT

AND

1 The State of Andhra Pradesh, Rep. by its Secretary (Ex-III) Department, Secretariat Buildings, Hyderabad.
2 The Superintendent, Prohibition and Excise Department, Karimnagar District.

.....RESPONDENT(S)

Counsel for the Appellant:MR.A.SUDERSHAN REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR PROHIBITION & EXCISE

The Court made the following Oral Judgment: (per Sri Devinder Gupta, CJ)

In this appeal, appellant challenges the order passed by the learned single judge vacating the interim order of suspension granted during the pendency of the writ petition.

Appellant's revision filed before the State Government against the order dated 18.12.2000 was dismissed. By order dated 18.12.2000, the licence of the appellant was suspended under Section 31(1)(b) of the A.P. Excise Act, 1968 (hereinafter referred to as 'the Act') on the allegation that the licensee had contravened Rule 37(A) of the A.P. Indian Liquor &Foreign Liquor Rules, 1970 read with Section 36(B)(C) and 34(b) of the Act. Writ petition No.6715 of 2003 was filed by the appellant questioning the action of the Prohibition & Excise Superintendent, Karimnagar and also the order of the State Government. Interim order was granted suspending the operation of the order of suspension.

We have heard the learned counsel for the appellant and do not find that it is a case for interference at this stage, more particularly, on the fact that the revision filed by the appellant against the orders passed by the Prohibition & Excise Superintendent, Karimnagar was alleged to have been dismissed and also in view of the fact that a criminal case is also stated to have been pending against the appellant on the same allegations under the various provisions of law.

We, accordingly, dismiss the appeal. However, we request the learned single judge to hear and dispose of the writ petition expeditiously. The writ petition be posted before the learned single judge on 13.9.2004.

DEVINDER GUPTA, CJ

Date: 16th August, 2004

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C.V.RAMULU,J

Pnb

To

1 The Secretary (Ex-III) Department, State of Andhra Pradesh,
Secretariat Buildings, Hyderabad.

2 The Superintendent, Prohibition and Excise Department,
Karimnagar District.

3. Two C.Cs. to the G.P. for Prohibition & Excise, High Court Buildings,

Hyderabad (OUT)

4. Two C.D. copies